

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Art Unit: 2135
Kenneth L. Levy Conf. No.: 2246
Application No.: 10/622,180
Filed: July 16, 2003 **Via Electronic Filing**
For: Digital Watermarking and Fingerprinting
Applications for Copy Control
Examiner: B. TO
Date: October 9, 2008

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief – Patents
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response addresses the September 15, 2008 Notification of Non-Compliant Appeal Brief (statement of the status of the claims).

Please charge the fee required under 37 CFR 1.17(f) and any other fees needed to consider this Appeal Brief to our deposit account no. 50-1071.

STATUS OF CLAIMS

Claims 1-39 and 41-48 are pending in the present application. Each of the pending claims stands finally rejected.

Claims 1-39 and 41-48 are on appeal.

Claim 40 was previously canceled.

CONCLUSION AND REQUEST FOR REVERSAL

Appellant respectfully requests reversal of the final rejection of the pending claims.

Respectfully submitted,

Date: October 9, 2008

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